

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

No. 23-15399

ALEXANDER BEHREND,

Appellant,

v.

SAN FRANCISCO ZEN CENTER, INC.,
Appellee.

On Appeal from the United States District Court
for the Northern District of California

D.C. No. 21-cv-1905

District Judge: Honorable Jacqueline S. Corley

**UNOPPOSED MOTION TO EXTEND TIME
TO FILE OPENING BRIEF**

COMES NOW ALEXANDER BEHREND, hereinafter “Appellant,” by and through undersigned counsel, and hereby respectfully petitions this Honorable Court to extend the deadline for the Appellant to file his opening brief by 25 days, until August 18, 2022.

The current deadline for the opening brief is July 24, 2023. *See* Doc., Jun. 20, 2023.

In support of the request for an extension, Appellant attaches a declaration of counsel, *see* Circuit Rule 31-2.2(b). That declaration includes but is not limited to the following facts: First, undersigned counsel did not represent Mr. Behrend in the District Court, and this case, on appeal after summary judgment, includes a substantial record of written discovery and depositions. Second, undersigned counsel has filed briefs in the Pennsylvania Supreme Court on July 13, 2023, *see Commonwealth v. Lee*, and the Fourth Circuit on July 17, 2023, *see Maryland Shall Issue v. Anne Arundel County*, and has briefs due to the Eleventh Circuit on July 24,

2023, *see Duran v. Martin*, and to this Circuit on Aug. 7, 2023 in a different case. Counsel also has an oral argument in the First Circuit on July 27, 2023, *see M.L. v. Concord*. Third, undersigned counsel has corresponded with counsel for Appellee, and Appellee consents to the requested extension.

Accordingly, in light of undersigned counsel's entry into the case at the appellate stage, Appellant's counsel's need to review records and diligently present the case to this Court, undersigned counsel's litigation responsibilities across cases, Appellee's gracious consent, and the lack of prejudice occasioned by such an extension, counsel for Appellant respectfully requests the 25-day extension described above.

Respectfully submitted,

/s/ Jim Davy

Jim Davy

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Date: July 21, 2023

CERTIFICATE OF SERVICE

I, Jim Davy, certify that on July 21, 2023, I caused a copy of this Unopposed Moton to Extend Time to be filed with the Clerk of Court and served on all counsel of record using the *CM/ECF* system.

Respectfully submitted,

/s/ Jim Davy

Jim Davy

Attorney ID: PA 321631

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Dated: July 21, 2023